

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**STUART MEISSNER, JONATHAN ZERON,
JAMES E. ALEMAN, JR. and STEVEN J. SILVESTRO
and others similarly situated.**

Plaintiffs,

**NOTICE OF
CONSTITUTIONAL
QUESTION**

1:23-cv-01907-NRB

-against-

**THE CITY OF NEW YORK, THE NEW YORK
CITY POLICE DEPARTMENT, THE NEW
YORK CITY POLICE DEPARTMENT
LICENSE DIVISION, KEECHANT L. SEWELL,
POLICE COMMISSIONER OF THE CITY OF
NEW YORK, NICOLE BERKOVICH, DIRECTOR
OF THE NEW YORK CITY POLICE
DEPARTMENT LICENSE DIVISION**

Defendants.

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PLEASE TAKE NOTICE, that on March 6, 2023, the annexed complaint was filed in the above captioned case in the United States District Court for the Southern District of New York which raises the following Constitutional questions:

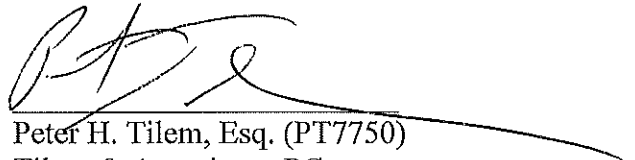
1. Whether the provisions of the New York State Penal Law §400.00 (6) which states in pertinent part: “A license to carry or possess a pistol or revolver, or to purchase or take possession of a semiautomatic rifle, not otherwise limited as to place or time of possession, shall be effective throughout the state, except that the same shall not be valid within the city of New York unless a special permit granting validity is issued

by the police commissioner of that city. . .” violates the Second Amendment to the United States Constitution?

2. Whether the provisions of Article 265.00 of the New York State Penal Law and Penal Law §265.20 (3), which only permits the possession of a firearm by a person possessing a New York State firearms license issued pursuant to Penal Law Article 400 violates the Second Amendment and the “Full Faith and Credit” Clause of the United States Constitution?
3. Whether the provisions of Article 265.00 of the New York State Penal Law and Penal Law §265.20 (3), which only permits the possession of a firearm by a person possessing a New York State firearms license issued pursuant to Penal Law Article 400 violates the Constitutional Right to Travel?

White Plains, New York
March 17, 2023

Respectively submitted,



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